

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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SUZETTE M. LaMONICA and  
BRIAN E. LaMONICA

Plaintiffs,

-against-

UNITED STATES OF AMERICA,  
TOWN OF BROOKHAVEN,  
JVC MEDIA, LLC, JVC BROADCASTING  
CORP., and LONG ISLAND EVENTS, LLC,

Defendants.  
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**MOTION FOR A STAY IN LIGHT  
OF LAPSE OF APPROPRIATIONS**

Civil Action No.  
18 CV 6867

(Bianco, J.)  
(Lindsay, M.J.)

The UNITED STATES OF AMERICA, on consent of all parties having appeared in this action, hereby moves for a stay of the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department, including to the United States Attorney’s Office for the Eastern District of New York (“USAO-EDNY”), lapsed. We do not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice and USAO-EDNY attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. The undersigned counsel therefore requests a stay of this case until Congress

has restored appropriations to the Department of Justice.

4. If this motion for a stay is granted, undersigned counsel will notify the Court within ten (10) business days after Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of this case until Department of Justice and USAO-EDNY attorneys are permitted to resume their usual civil litigation functions.

Dated: Central Islip, New York  
January 10, 2019

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: s/ JAMES H. KNAPP, AUSA  
JAMES H. KNAPP  
Assistant United States Attorney

cc: **Via ECF**  
All Counsel of Record